REMARKS

Claims 1-26 remain pending in this application. Claims 1, 13, and 17 have been amended.

Applicant would like to thank the Examiner for his consideration during a telephone interview on April 4, 2005. During that interview, Applicant's representative discussed a proposed amendment to claim 1. Claim 1 has been amended as discussed along with additional amendments.

The Examiner has rejected claim 1 under 35 U.S.C. § 112 for failing to provide sufficient antecedent basis for a limitation in the claim. Claim 1 has been amended to address the Examiner's concern.

The Examiner has rejected claim 13 under 35 U.S.C. § 102(e) as being anticipated by Ogdon, claims 1, 2, 7-12, 17-20, and 25-26 under 35 U.S.C. § 103 as being unpatentable over Ogdon in view of Sampat, claims 14-16 under 35 U.S.C. § 103(a) as being unpatentable over Ogden and Carmel, and claims 3-6 and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over Ogden, Sampat, and Carmel. The claims have been amended to clarify that a media stream being streamed to a first client computer and a second client computer is unsynchronized when the media in the buffer at the first client computer is greater than a first amount or is less than a second amount. For example, claim 1 recites "the media stream received by the first client computer being globally unsynchronized with the media stream being streamed to the second client computer when the media in the buffer at the first client computer is greater than a first amount or is less than a second amount." None of the cited references, alone or in combination, teaches or suggests detecting when a media stream is unsynchronized by examining the amount of media in the buffer at the first client computer.

The Examiner relies on Sampat as showing that streams are unsynchronized based on whether a buffer is above or below certain amounts. Applicant respectfully disagrees. Sampat teaches comparing time stamps for media streams to determine

when two media streams received by the same computer become unsynchronized. (Sampat, 31: 38-45.) For example, an audio stream received by a computer may become unsynchronized with a video stream received by the same computer. Sampat fails to teach "buffering at the first client computer media of the received media stream." Sampat also fails to teach a method for determining when a media stream is unsynchronized by comparing the media in the buffer to a first amount and to a second amount. Instead, Sampat teaches comparing time stamps to determine when a media stream becomes unsynchronized.

Based on the above amendments and remarks, applicant respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Respectfully submitted,

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Date: 5|2|05

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